

House Bill 74

By: Representatives Day of the 163rd, Horne of the 71st, and Neal of the 1st

A BILL TO BE ENTITLED

AN ACT

To amend Chapter 69 of Title 36 of the Official Code of Georgia Annotated, relating to mutual aid for local governments, so as to authorize peace officers rendering assistance to state or local law enforcement agencies to exercise the power of arrest; to provide for related matters; to provide limitations to liability for acts arising from the provision of law enforcement assistance to law enforcement agencies; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 69 of Title 36 of the Official Code of Georgia Annotated, relating to mutual aid for local governments, is amended by adding a new Code section immediately following Code Section 35-69-10 to read as follows:

"35-69-11.

(a) Upon request, the sheriff of any county or the head of any county or municipal police agency may provide assistance to any law enforcement agency within this state. A certified peace officer employed by a sheriff or police department who renders requested assistance with the approval of his or her employing agency, shall be authorized to exercise the powers of arrest to the same extent as any peace officer employed by the law enforcement agency receiving such assistance. The powers of arrest conferred by this Code section shall be in addition to any other powers of arrest otherwise provided by law.

(b) A peace officer providing assistance pursuant to this Code section shall continue to have those powers, duties, rights, privileges, and immunities incidental to their employment. Neither the state nor any political subdivision of the state, nor the agents or representative of the state or any political subdivision thereof, shall be liable for personal injury or property damage resulting or arising from the provision of such assistance. The foregoing shall not affect the right of any person to receive benefits or compensation to which he or she might otherwise be entitled under Chapter 9 of Title 34, any pension law, or any act of Congress."

- 1
- SECTION 2.**
- 2
- All laws and parts of laws in conflict with this Act are repealed.